

**TENTATIVE AGENDA
MEETING OF THE CITY COUNCIL
CITY OF LADUE, MISSOURI
COUNCIL CHAMBERS
9345 CLAYTON ROAD
LADUE, MISSOURI 63124
MONDAY, SEPTEMBER 17, 2018
4:00 P.M.**

The Hon. Nancy Spewak, Mayor, to preside and call the meeting to order.

Adoption and Approval of the Agenda.

Approval of the Minutes: Minutes of the Regular and Closed Meetings of August 20, 2018.

Public Forum: The Mayor will recognize any visitors who wish to address the Mayor and Council on City matters. **(Speakers will be limited to 3 minutes)**

Public Hearings: None

Zoning and Planning Matters: None

Unfinished Business: None

New Business:

Proposed Legislation:

Bill No. 2207 – An ordinance of the City of Ladue to repeal and replace Section 34-51 of Article II of Chapter 34 – Fire Protection and Prevention of the Ladue Code relating to permitted hours of firework displays.

Resolution No. 2018-26 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri an agreement with St. Luke's Workplace Health for pre-employment testing and workers compensation injury treatment.

Resolution No. 2018-27 – A resolution adopting fiscal policies.

Resolution No. 2018-28 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a professional services contract with EDM Incorporated for engineering consultant services for the #1602 Babler Lane Infrastructure Project.

Resolution No. 2018-29 – A resolution authorizing the Mayor to authorize on behalf of the City of Ladue, Missouri a work order with Oates Associates for engineering consultant services under the on-call professional services contract for Clayton Road ADA Improvements Phase 1.

Resolution No. 2018-30 – A resolution authorizing the Mayor to execute on behalf of the City of Ladue, Missouri a contract with Waddell Concrete Inc. for removal and replacement of the concrete at the Police Department Building Carport.

Financial Matters:

F-1 Report of the Finance Director regarding significant items in the financial reports.

F-2 The Mayor and Council to review and approve the Vouchers for Payment for the month of August 2018.

F-3 The Mayor and Council to review the combined Treasurer's and Collector's Report for August 2018.

F-4 The Mayor and Council to review the Financial Report for August 2018.

F-5 The Mayor and Council to review the Cash Flow Summary for August 2018.

F-6 The Mayor and Council to review the Land Lots and Delinquent Tax List.

Department Reports:

- D-1 Fire Department:** Mayor and Council to review the Fire Department Activity Report for the month of August 2018.
- a. Request for authorization for the Fire Chief to purchase Attack Fire Hose from Leo M. Ellebracht Company at a cost of \$5,654.00 and Supply Fire Hose from Banner Fire Equipment at a cost of \$11,302.53.
- D-2 Police Department:** Mayor and Council to review the Police Activity Report for the period of January 1 – August 31, 2018.
- D-3 Public Works:** Mayor and Council to review the report of the Director of the Public Works Department.
- a. Report on the easement on City owned property at 9810 S. 40 Drive sought by MSD for their Deer Creek Sanitary Sewer Project in the amount of \$309,432.77.
- b. Ratification of expense for installation of the generator at the Public Works Department Building for electrical work performed by Schaeffer Electric in the amount of \$10,365.20.
- c. Building Office report for the period through August 2018.
- D-4 Municipal Court:** Mayor and Council to review the report of the Municipal Court for August 2018.
- D-5 Administration/City Clerk:**
- a. Report from the City Attorney.
- D-6 Committee Appointments:**

Adjournment: Next meeting dates: Monday, October 15, 2018 and Monday November 19, 2018.

Note: Pursuant to Section 610.022 RSMO., the City Council could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMO. and/or personnel matters under section 610.021 (13) RSMO. and/or employee matters under section 610.021 (3) RSMO. and/or real estate matters under section 610.021 (2).

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 "ADA", the City of Ladue will not discriminate against qualified individuals on the basis of disability in its services, programs, or activities. If you require an accommodation or modification please contact Laura Rider, City Clerk, (314) 993-3439, lrider@cityofladue-mo.gov as soon as possible but no later than 48 hours before the scheduled event.

Posted Date: 9/13/18

Time: 3:30 P.M. By: J Rider

BILL NO. 2207

ORDINANCE NO. 2207

AN ORDINANCE OF THE CITY OF LADUE TO REPEAL AND REPLACE SEC. 34-51 OF ARTICLE II OF CHAPTER 34 – FIRE PROTECTION AND PREVENTION OF THE LADUE CODE RELATING TO PERMITTED HOURS OF FIREWORK DISPLAYS.

WHEREAS, this bill has been made available for public inspection prior to its consideration by the City Council and read by title two times in open meeting prior to passage.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LADUE, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Repeal Section 34-51 – Permitted Hours for Firework Display of Chapter 34, Article II, Division II of the Ladue Code, which currently reads as follows:

Sec. 34-51 – Permitted Hours of Firework Display

All firework displays authorized by the City of Ladue and permitted by St. Louis County shall be between the hours of 9 am (0900) and 10:30 pm (2230).

Section 2. Enact revised Section 34-51 – Permitted Hours of Firework Display of Chapter 34, Article II, Division II of the Ladue Code to read as follows:

Sec. 34-51 – Permitted Hours of Firework Display

All firework displays authorized by the City of Ladue and permitted by St. Louis County shall not commence prior to 9 am (0900) and shall conclude by 11:30 pm (2330)

Section 3. This ordinance shall take effect and be in force from and after its adoption and approval by the Mayor.

PASSED THIS _____ DAY OF _____ 2018.

President, City Council

APPROVED AND ADOPTED THIS _____ DAY OF _____ 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

RESOLUTION NO. 2018-26

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF LADUE, MISSOURI AN AGREEMENT WITH ST. LUKE'S WORKPLACE HEALTH FOR PRE-EMPLOYMENT TESTING AND WORKERS COMPENSATION INJURY TREATMENT.

WHEREAS, the City of Ladue conducts pre-employment testing on prospective employees and provides workers compensation insurance coverage for active employees providing for medical treatment of workplace injuries; and

WHEREAS, after receiving feedback from various City departments, Administration Department staff procured a proposal from St. Luke's Workplace Health for these services with a convenient location in Ladue; and

WHEREAS, St. Luke's Workplace Health is an authorized provider for the City's Workers Compensation Carrier; and

WHEREAS, the City Council now desires and finds it in the best interest of the City to enter into an agreement with St. Luke's Workplace Health for Pre-Employment Testing and Workers Compensation Injury Treatment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby authorizes the Mayor to execute on behalf of the City an agreement with St. Luke's Workplace Health for Pre-Employment Testing and Workers Compensation Injury Treatment in substantially the form of Exhibit A incorporated herein by reference (the "Agreement"), including all documents specified in the Agreement as being part of the Agreement.

Section 2. This Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this 17th day of September, 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

RESOLUTION NO. 2018-27

A RESOLUTION ADOPTING FISCAL POLICIES

WHEREAS, the City has an important responsibility to its citizens to carefully account for public funds, to manage municipal finances wisely and to plan for the adequate funding of services and facilities required to serve the public; and

WHEREAS, the Finance Director worked with the Finance Committee to determine best practices for municipalities and recommendations for the appropriate fiscal policies; and

WHEREAS, these policies establish the framework under which the City will conduct its fiscal affairs in a manner to adequately fund local government services; and

WHEREAS, the City Council now finds it in the best interest of the City to adopt Fiscal Policies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby adopts the Fiscal Policies in substantially the form of Exhibit A.

Section 2. This Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this 17th day of September, 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

Exhibit A

CITY OF LADUE FISCAL POLICIES

The City of Ladue has an important responsibility to its citizens to carefully account for public funds, to manage municipal finances wisely and to plan for the adequate funding of services and facilities required to serve the public. By adopting a set of fiscal policies, the City will be establishing the framework under which it will conduct its fiscal affairs, in a manner to adequately fund local government services. The fiscal policies of the City of Ladue have specific objectives designed to protect the fiscal health of the City. These objectives are:

1. To maintain City Council policy-making ability so that important fiscal decisions are not driven by emergencies or financial problems.
2. To provide City Council information so that policy decisions can be made timely and accurately.
3. To provide sound financial principles to guide City Council and management in making decisions.
4. To employ revenue policies which attempt to prevent undue reliance on a single source of revenue and which distributes the cost of municipal services fairly among all programs.
5. To ensure legal compliance with the budget through systems of internal control.

ACCOUNTING, AUDITING, & FINANCIAL REPORTING POLICIES

1. The City will maintain its accounting records in accordance with applicable state and federal laws and regulations. Budgetary reporting will be in accordance with the applicable state budget laws and regulations.
2. The City will use generally accepted accounting principles (GAAP) in all external financial records and transactions. These principles will be monitored and updated as mandated by the Governmental Accounting Standards Board.
3. An independent annual audit will be performed by a public accounting firm, which will issue an official opinion on the annual financial statements and a management letter detailing areas needing improvement, if any. The relationship with the public accounting firm will be reviewed at least every five years.

4. Financial systems will be maintained to monitor revenues and expenditures/expenses monthly, with an analysis and adjustment of the Annual Budget at appropriate times.
5. The Finance Department will monitor the financial systems with reports presented monthly to the Mayor and City Council.
6. The Finance Committee will review the results of the annual independent audit and make appropriate recommendations to the Mayor and City Council based upon the findings.

REVENUE POLICIES

1. The City will continually engage in efforts designed to both broaden and diversify its revenue base to prevent revenue shortfalls due to reliance on a single revenue source.
2. All existing and potential revenue sources will be reviewed annually to ensure revenue trends are kept current.
3. The City will seek to avoid using temporary revenues to fund ongoing services.
4. Monthly reports comparing actual to budgeted revenues will be prepared by the Finance Department and presented to the Mayor and City Council.
5. The City will establish all user charges and fees at a level related to the cost of providing the services, as well as the benefit of the service, to the user and the public. Increases in user charges and fees will be implemented in compliance with existing law.
6. The Finance Committee will advise the Mayor and City Council on all matters of revenue and taxation, and upon the financial condition of the city.

OPERATING AND EXPENDITURE POLICIES

1. When necessary, where appropriate and as required by circumstances, the City will institute expenditure controls in an attempt to ensure that current operating expenditures will not exceed current operating revenues.
2. Monthly reports comparing actual to budgeted expenditures will be prepared and presented to the Mayor and the City Council.
3. Program measurements will be part of the annual operating budget.

4. The City will seek to maintain a competitive pay structure for its employees to carry out desired City services and needs.
5. Planning and budgeting of expenditures will be based upon a priority setting process that is designed to narrow the range from a list of desirable expenditures to financially feasible expenditures. Expenditures will be justified based on the needs of the City.
6. Each year, the Finance Department will update expenditure projections for the next three years. Projections will include estimated operating costs, capital outlays, debt service, and capital improvement program expenditures.
7. As the City conducts its long-range financial planning; special emphasis will be placed on maintaining and improving the physical assets and services of the City, as needed.
8. In an effort to reduce the cost of capital expenditures, Federal, State and other intergovernmental and private funding sources shall be applied for and used as available. A concerted effort in applying for matching grants is strongly encouraged.
9. The Finance Committee will make recommendations to the Mayor and City Council on controlling and justifying expenses. The Committee will review the draft of the annual budget of the City and recommend, with or without alteration, its approval to the Mayor and Council.

CAPITAL IMPROVEMENT POLICIES

1. Future operating costs associated with new capital improvements will be projected and included in the operating budget forecast, as required. The City is focused on making those expenditures that give it the ability to operate more efficiently and with a lower cost basis than before the expenditure, as justified.
2. The City will determine and use the most prudent and fiscally responsible method for financing all new capital projects.
3. Capital projects are those with expenditures for long-lived assets, typically greater than 5 years and those whose value is greater than \$5,000.
4. As the City conducts its long-range financial planning, special emphasis will be placed on maintaining and improving the physical assets of the City.

DEBT MANAGEMENT POLICIES

1. The City will generally seek to limit long-term debt to only those capital improvements or projects that cannot be reasonably financed from current revenues or with prudent use of reserve funds. The maturity date for any debt should not typically exceed the reasonably expected useful life of the project to be financed. Except where determined by specific redevelopment projects, debt should be structured to provide for the retirement of a minimum of 60% of the amount of the outstanding principle within a ten-year period.
2. The City's policy is to plan and direct the use of debt so that debt service payments will be a predictable and manageable part of the operating budget.
3. The City will not issue long-term debt, (i.e., in excess of 12 months), to finance current operations. The City will consider alternative funding sources before issuing long-term debt.
4. Capital will be raised at the lowest reasonable cost through a fiscally conservative approach and under advantageous terms for the City in the credit markets.

INTERNAL CONTROL AND RISK MANAGEMENT POLICIES

1. The City shall maintain an environment conducive to good internal control.
2. Internal Control comprises the plan of organization and all the coordinated methods and measures adopted within the City to safeguard its assets, check the accuracy and reliability of its assets, check the accuracy and reliability of its accounting data, promote operational efficiency, and encourage adherence to prescribed managerial policies.
3. The Finance Department is responsible for designing appropriate controls for the departments and the departments are responsible for implementation. Inherent in these responsibilities is the recognition that the cost of internal control should not exceed the benefits expected to be derived. Also, internal controls may become inadequate as conditions change, thus requiring review and modification.
4. Segregation of Duties Procedures are implemented and designed to detect errors. Duties will be performed by persons other than those who are in a position to perpetrate them, when possible.
5. Written procedures will be maintained by the Finance Department for all functions involving the handling of cash and securities. These procedures shall embrace sound internal control principles.

6. The Finance Department shall issue internal control procedures based upon deficiencies that have been identified by City staff or the independent auditors. Finance shall ensure that a good faith effort is made to implement all independent auditor recommendations pertaining to internal control. The Finance Department will seek to periodically monitor internal control procedures and compliance with federal and state regulatory requirements pertaining to internal controls or financial reporting.
7. Department heads are responsible to ensure that internal control procedures, including those issued by the Finance Department, are followed throughout the department.

RESOLUTION NO. 2018-28

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF LADUE, MISSOURI A PROFESSIONAL SERVICES CONTRACT WITH EDM INCORPORATED FOR ENGINEERING CONSULTANT SERVICES FOR THE #1602 BABLER LANE INFRASTRUCTURE PROJECT

WHEREAS, in January 2018 the City of Ladue issued a Request for Qualifications (RFQ) for Phase III of the Storm Water Management Program; the Implementation Phase for project design development and final plans/specification and bid document preparation; and

WHEREAS, on February 22, 2018 sixteen Statements of Qualifications were received from engineering firms; and

WHEREAS, all submittals which were reviewed by City staff in accordance with the procedures outlined in the RFQ that follow the Qualification Based Selection Process; and

WHEREAS, the seven firms that scored the highest were interviewed by the Consultant Selection Committee which included the Chairman of the Storm Water Advisory Committee, the Director of Public Works, and the City's Storm Water Engineering Manager and as a result of this process, the Committee prequalified five firms to perform engineering services under the five-year implementation plan; and

WHEREAS, the Storm Water Advisory Committee reviewed and was updated on the consultant selection process at their March 9, 2018 meeting as well as the prequalification list of consultants with selected firms for each individual project at their June 13, 2018 meeting; and

WHEREAS, Public Works staff negotiated the detailed project scope, schedule, and fee within the budget identified in the Storm Water Implementation plan, with EDM Incorporated for the #1602 Babler Lane Infrastructure project; and

WHEREAS, the City Council now desires and finds it in the best interest of the City to approve the Professional Services Agreement with EDM Incorporated for the #1602 Babler Lane Infrastructure project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby authorizes the Mayor to execute on behalf of the City the Professional Services Contract between the City of Ladue and EDM Incorporated for the #1602 Babler Lane Infrastructure project in substantially the form of the Professional Services Contract incorporated herein by reference ("the Contract"),

Section 2. This Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this 17th day of September 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

RESOLUTION NO. 2018-29

A RESOLUTION AUTHORIZING THE MAYOR TO AUTHORIZE ON BEHALF OF THE CITY OF LADUE, MISSOURI A WORK ORDER WITH OATES ASSOCIATES FOR ENGINEERING CONSULTANT SERVICES UNDER THE ON-CALL PROFESSIONAL SERVICES CONTRACT FOR CLAYTON ROAD ADA IMPROVEMENTS PHASE 1

WHEREAS, On June 27, 2018, the City executed a Professional Services Contract with Oates Associates for On-call Engineering services for the Roadway/ROW Rehabilitation and Reconstruction Category after having issued a Request for Qualifications (RFQ) for on-call services for various engineering categories; and

WHEREAS, the City contracted with Oates Associates, an engineering consultant, in 2017 to assist with development of an ADA Self-Evaluation and Transition Plan which was approved by City Council by resolution on March 26, 2018; and

WHEREAS, the City worked with Oates Associates to identify the highest priority areas which will be implemented by phases with the first phase including ADA improvements in the Clayton Road business district; and

WHEREAS, Public Works staff reviewed the detailed project scope, schedule, and manpower estimate with hourly rates matching those authorized by the On-Call PSC, and determined the scope is appropriate and within the budget identified in the Road and Bridge Fund Budget for ADA sidewalk improvements; and

WHEREAS, the City Council now desires and finds it in the best interest of the City to approve Work Order #003 for Clayton Road ADA Improvements Phase 1.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby authorizes the Mayor to authorize on behalf of the City the Work Order #003 under the On-Call Engineering Professional Services Contract for Clayton Road ADA Improvements Phase 1 ("Scope of Work"),

Section 2. This Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this 17th day of September 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk

RESOLUTION NO. 2018-30

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF LADUE, MISSOURI A CONTRACT WITH WADDELL CONCRETE INC. FOR REMOVAL AND REPLACEMENT OF THE CONCRETE AT THE POLICE DEPARTMENT BUILDING CARPORT.

WHEREAS, in accordance with the City's purchasing policy, Police Department staff solicited bids for removal and replacement of the concrete at the Police Department Building carport ("Project"); and

WHEREAS, staff reviewed three bid submittals and after evaluation of the same, found that Waddell Concrete Inc. submitted the best bid that met the City's needs; and

WHEREAS, the City Council now desires and finds it in the best interest of the City to enter into a contract with Waddell Concrete Inc. for the Project as the best bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LADUE, MISSOURI, AS FOLLOWS:

Section 1. The City Council hereby authorizes the Mayor to execute on behalf of the City a contract with Waddell Concrete Inc. to remove the existing concrete and install new concrete at the Police Department Building Carport in substantially the form of Exhibit A incorporated herein by reference (the "Contract"), including all documents specified in the Contract as being part of the Contract.

Section 2. The requirements of Section 292.675 RSMo., and the OSHA requirements, penalties, and obligations in the Contract, are hereby incorporated herein by reference and made a part of this Resolution for all purposes.

Section 3. In accordance with Section 290.230.5 RSMo., the requirements of Section 290.210 RSMo., and the prevailing wage requirements do not apply to this project.

Section 4. This Resolution shall take effect and be in force from and after its passage and approval by the Mayor.

Adopted by the City Council and approved by the Mayor on this 17th day of September 2018.

Nancy Spewak, Mayor

ATTEST:

Laura Rider, City Clerk